

WEDNESDAY, MAY 12, 1999

TWENTY-NINTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Scroggs.

Representative Scroggs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Givens; business reasons.

Representative Hassell; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 223: Rep(s), Stulce as prime sponsor(s).

House Bill No. 297: Rep(s), Ridgeway, Pinion, Cole (Dyer) and Tidwell as prime sponsor(s).

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House Bill No. 321: Rep(s). Ridgeway, Pinion, Cole (Dyer) and Tidwell as prime sponsor(s).

House Bill No. 504: Rep(s). McDonald as prime sponsor(s).

House Bill No. 507: Rep(s). Bowers as prime sponsor(s).

House Bill No. 878: Rep(s). Ford, Givens, Ferguson, Bowers, Dunn, Goins, Bone and Walker as prime sponsor(s).

House Bill No. 1103: Rep(s). Dunn, Pruitt, Langster, Turner (Hamilton), Maddox and Fitzhugh as prime sponsor(s).

House Bill No. 1442: Rep(s). Ridgeway, Williams, S. Jones and Fowlkes as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR
May 11, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 698, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE
May 11, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 50, 56, 83, 115, 120, 210, 220, 221, 222, 225, 238, 239, 258, 261, 262, 281, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340 and 344; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 50 -- Memorials, Public Service - Nancy Peterson, TRICOR Board of Directors. by *Kyle, *Rochelle, *Harper, *Dixon, *Henry.

Senate Joint Resolution No. 56 -- Memorials, Recognition and Thanks - Audrey Roberts. by *Kyle, *Herron.

Senate Joint Resolution No. 83 -- Memorials, Recognition and Thanks - Representative Stratton Bone, former TRICOR member. by *Kyle, *Henry, *Graves, *Rochelle, *Springer.

***Senate Joint Resolution No. 115** -- Naming and Designating - Names recreational hall at Camp Clement in honor of Senator Tommy Burks; urges governor to include funding for reconstruction of such building in FY 1999-2000 budget. by *Haun, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

***Senate Joint Resolution No. 120** -- Memorials, Congress - Urges support for Conservation and Reinvestment Act of 1999. by *Ramsey, *Davis L, *Burchett, *Williams, *McNally.

***Senate Joint Resolution No. 210** -- Memorials, Government Officials - Authorizes department of education to include secondary education activities of Carl Perkins Act in unified plan with other workforce development programs. by *Womack.

***Senate Joint Resolution No. 220** -- General Assembly, Confirmation of Appointment - Roosevelt Allen, Tennessee Forestry Commission. by *Burchett, *Atchley.

***Senate Joint Resolution No. 221** -- General Assembly, Confirmation of Appointment - Faye L. Barna, Tennessee Forestry Commission. by *Davis L, *Atchley.

***Senate Joint Resolution No. 222** -- General Assembly, Confirmation of Appointment - George H. McGrath III, Tennessee Forestry Commission. by *Davis L, *Atchley.

***Senate Joint Resolution No. 225** -- Highway Signs - "John B. Deakins, Sr. Highway," State Highway 75, Washington County. by *Crowe.

***Senate Joint Resolution No. 238** -- General Assembly, Confirmation of Appointment - Joe L. Williams, wildlife resources commission. by *Davis L.

***Senate Joint Resolution No. 239** -- General Assembly, Confirmation of Appointment - George Akans, Tennessee wildlife resources commission. by *Atchley.

Senate Joint Resolution No. 258 -- Memorials, Academic Achievement - Sarah Kahle, Valedictorian, Bible Baptist Academy. by *Kurita.

Senate Joint Resolution No. 261 -- Memorials, Academic Achievement - Paula Helton, Valedictorian, Cheatham County Central High School. by *Kurita.

Senate Joint Resolution No. 262 -- Memorials, Death - John Bibb, sportswriter for The Tennessean. by *Henry, *Harper, *Kyle, *Springer.

Senate Joint Resolution No. 281 -- Memorials, Academic Achievement - Katori Lynn Hall, Craigmont High School Valedictorian. by *Kyle.

Senate Joint Resolution No. 283 -- Memorials, Death - Sarah Byrd Douglas Posey. by *Cooper.

Senate Joint Resolution No. 284 -- Memorials, Retirement - Chief Eugene Keel. by *Kurita.

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Senate Joint Resolution No. 285 -- Memorials, Recognition - Carol Emerson Morrow. by *Kurita.

Senate Joint Resolution No. 286 -- Memorials, Academic Achievement - April Simmons, Salutatorian, Cheatham County Central High School. by *Kurita.

Senate Joint Resolution No. 287 -- Memorials, Academic Achievement - Donald Chadwick Lamb, Valedictorian, Eagleville High School. by *Womack.

Senate Joint Resolution No. 288 -- Memorials, Academic Achievement - Stephanie Richardson, Salutatorian, Eagleville High School. by *Womack.

Senate Joint Resolution No. 289 -- Memorials, Academic Achievement - Nicole Elliott, LaVergne High School Valedictorian. by *Womack.

Senate Joint Resolution No. 290 -- Memorials, Academic Achievement - Matthew R. Givens, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 291 -- Memorials, Academic Achievement - Candice Marie LeMaster, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Rachel Elizabeth Reagh, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 293 -- Memorials, Academic Achievement - Jacob Srodka, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 294 -- Memorials, Academic Achievement - Nicholas Anthony Tressler, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 295 -- Memorials, Academic Achievement - Rachel Wall, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 296 -- Memorials, Academic Achievement - Donald F. Winningham III, 1999 Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 297 -- Memorials, Academic Achievement - Andrea Caldwell, Salutatorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 298 -- Memorials, Academic Achievement - Nichole Maraschiello, Salutatorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 299 -- Memorials, Academic Achievement - Patrick James Rothschild, LaVergne High School Salutatorian. by *Womack.

Senate Joint Resolution No. 300 -- Memorials, Academic Achievement - Sarah Stein, LaVergne High School Salutatorian. by *Womack.

Senate Joint Resolution No. 301 -- Memorials, Academic Achievement - Mandy Lee Baskin, Oakland High School Valedictorian. by *Womack.

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Senate Joint Resolution No. 302 -- Memorials, Academic Achievement - Griffin Bridges, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 303 -- Memorials, Academic Achievement - Ryan James Brookshire, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 304 -- Memorials, Academic Achievement - Bobbie Burton, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 305 -- Memorials, Academic Achievement - Jennifer Lea Carter, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 306 -- Memorials, Academic Achievement - Alicia Christman, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 307 -- Memorials, Academic Achievement - Tyler Henson, Oakland High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 308 -- Memorials, Academic Achievement - Cheryl Janes, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 309 -- Memorials, Academic Achievement - Jenny Peterson, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 310 -- Memorials, Academic Achievement - Heather Prince, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 311 -- Memorials, Academic Achievement - Erin Rains, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 312 -- Memorials, Academic Achievement - Courtney Roberts, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 313 -- Memorials, Academic Achievement - Megan Leigh Sampley, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 314 -- Memorials, Academic Achievement - Paul "Herb" Wulfsberg, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 315 -- Memorials, Academic Achievement - Julie Arbuckle, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 316 -- Memorials, Academic Achievement - Carrie Eaker, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 317 -- Memorials, Academic Achievement - Jeff Harding, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 318 -- Memorials, Academic Achievement - Matthew Johnson, Valedictorian, Riverdale High School. by *Womack.

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Senate Joint Resolution No. 319 -- Memorials, Academic Achievement - Rachel Lavery, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 320 -- Memorials, Academic Achievement - Rebekah Lewis, Riverdale High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 321 -- Memorials, Academic Achievement - Bart Lynch, Riverdale High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 322 -- Memorials, Academic Achievement - Teri Overman, 1999 Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 323 -- Memorials, Academic Achievement - Chris Brown, Salutatorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 324 -- Memorials, Academic Achievement - Andrew Thomas League, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 325 -- Memorials, Academic Achievement - Lauren Leigh Parker, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 326 -- Memorials, Academic Achievement - Kristin Danielle Peck, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 327 -- Memorials, Academic Achievement - Jason James Pitts, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 328 -- Memorials, Academic Achievement - Amanda Hope Womack, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 329 -- Memorials, Academic Achievement - Camilla Michelle Williamson, Salutatorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 330 -- Memorials, Retirement - Willie G. Perpener. by *Wilder.

Senate Joint Resolution No. 331 -- Memorials, Professional Achievement - The Wilburns, first #1 gospel single "Resting Place.". by *Rochelle.

Senate Joint Resolution No. 332 -- Memorials, Retirement - Eddie Gene and Berdena (Dean) Gregory, owners and operators of Gregory Cleaners for 30 years. by *Rochelle.

Senate Joint Resolution No. 333 -- Memorials, Academic Achievement - Danielle Nicole Whitaker, Valedictorian, Kingsbury High School. by *Kyle.

Senate Joint Resolution No. 334 -- Memorials, Academic Achievement - Treveco Dequan Lucas, Valedictorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 335 -- Memorials, Academic Achievement - Rachel Madearis, Raleigh Egypt High School Salutatorian. by *Kyle.

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Senate Joint Resolution No. 336 -- Memorials, Academic Achievement - Caressa Shannon Liggins, Raleigh Egypt High School Valedictorian. by *Kyle.

Senate Joint Resolution No. 337 -- Memorials, Academic Achievement - Jessica Johnson, 1999 Salutatorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 338 -- Memorials, Academic Achievement - Shannon Avery Adams, Salutatorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 339 -- Memorials, Academic Achievement - Karen A. Phillips, Valedictorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 340 -- Memorials, Academic Achievement - Stacey Denise Stewart, Salutatorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 344 -- Memorials, Personal Achievement - Jon Travis, Eagle Scout. by *Herron.

**MESSAGE FROM THE SENATE
May 11, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 130, 493, 990 and 1587; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 130** -- Sunset Laws - State board for licensing alarm systems contractors, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 32. by *Springer. (HB376 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 493** -- Local Government, General - Expands regulation under Tennessee Passenger Transportation Services Act to include limousines, sedans, and shuttles in addition to taxicabs; includes compliance and liability requirements; removes certain language concerning authority of department of safety to regulate passenger services. Amends TCA Title 7, Chapter 51. by *Haynes. (HB983 by *Jones, S., *Odom, *Langster, *Garrett, *Robinson, *Harwell)

Senate Bill No. 990 -- Juvenile Offenders - Prohibits juvenile adjudicated to have committed sexual offense from attending same school as victim. Amends TCA Title 49, Chapter 6, Part 31. by *Williams. (*HB771 by *Hargett)

***Senate Bill No. 1587** -- Aged Persons - Imposes civil penalty of up to \$10,000 per violation on persons who use practices in violation of Tennessee Consumer Protection Act which victimize persons who are at least 60 years of age. Amends TCA Title 47, Chapter 18, Part 1. by *Blackburn, *Crowe, *Miller J, *Williams, *Burks, *Haynes, *Kurita, *Carter, *Burchett, *Person, *Ramsey. (HB1103 by *Godsey, *McDaniel, *Cole (Carter), *Mumpower, *Wood, *Scroggs, *Walker (Rhea), *Rinks, *McKee, *Ford S, *Roach, *Bittle, *Montgomery, *Boyer, *Walley, *Harwell, *Hagood, *Armstrong, *McCord, *Pleasant, *Sharp, *Sargent, *Todd, *Black, *Hassell, *Beavers, *Davis (Washington), *Whitson, *Hargett, *West, *Turner (Shelby), *Jones, S., *Baird, *Buttry, *Dunn, *Pruitt, *Langster, *Turner (Hamilton), *Maddox, *Fitzhugh)

ENROLLED BILLS

May 11, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 443, 802 and 1404; House Joint Resolution(s) No(s). 73, 206, 207, 208, 210, 212 and 216; also, House Resolution(s) No(s). 50.

BETTY KAY FRANCIS, Chief Engraving Clerk.

SIGNED

May 11, 1999

The Speaker signed the following: House Bill(s) No(s). 443, 802 and 1404; House Joint Resolution(s) No(s). 73, 206, 207, 208, 210, 212 and 216; also, House Resolution(s) No(s). 50.

BETTY KAY FRANCIS, Chief Engraving Clerk.

MESSAGE FROM THE GOVERNOR

May 11, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 179 and 209, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 11, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 443, 802 and 1404; also, House Joint Resolution(s) No(s). 73, 206, 207, 208, 210, 212 and 216; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGRAVING CLERK

May 11, 1999

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 443, 802 and 1404; also, House Joint Resolution(s) No(s). 73, 206, 207, 208, 210, 212 and 216.

BETTY KAY FRANCIS, Chief Engraving Clerk.

MESSAGE FROM THE GOVERNOR

May 11, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 73, 206, 207, 208, 210, 212 and 216, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 11, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 24, 32, 105, 106, 107, 108, 110, 123, 132, 138, 156, 420, 502, 572, 927, 1026, 1079, 1229, 1310, 1357, 1416, 1459, 1572, 1588 and 1597; also, Senate Joint Resolution(s) No(s). 114, 229, 231, 232, 233, 235, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 267, 268, 269, 270, 271, 272, 273 and 274 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

May 11, 1999

The Speaker signed the following: Senate Bill(s) No(s). 24, 32, 105, 106, 107, 108, 110, 123, 132, 138, 156, 420, 502, 572, 927, 1026, 1079, 1229, 1310, 1357, 1416, 1459, 1572, 1588 and 1597; also, Senate Joint Resolution(s) No(s). 114, 229, 231, 232, 233, 235, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 267, 268, 269, 270, 271, 272, 273 and 274.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Brooks was recognized in the Well to introduce the 1998 Melrose High School football team, TSSAA Division I Class 3-A state champion.

RESOLUTION READ

The Clerk read House Joint Resolution No. 91 honoring the team.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

RECOGNITION IN THE WELL

Rep(s). Bowers and Ferguson were recognized in the Well to introduce members of the Mr. Razy Bailey and Mrs. Faye Bright Bailey, CEOs of the "I HATE HATE" (but I love love) Foundation.

RESOLUTION READ

The Clerk read House Resolution No. 54 honoring Mr. and Mrs. Bailey.

RULES SUSPENDED

Rep. Bowers moved that the rules be suspended for the purpose of introducing House Resolution No. 54 out of order, which motion prevailed.

House Resolution No. 54 -- Memorials, Recognition - The "I HATE HATE (but I love love)" Foundation. by *Bowers, *Ferguson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bowers, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 56** -- General Assembly, Studies - Directs industrial impact subcommittee of house commerce committee to study issues relative to motor vehicle rental companies. by *Lewis.

House Calendar and Rules Committee

***House Joint Resolution No. 227** -- Memorials, Government Officials - Urges departments of finance and administration and health to make direct interim or advance payments to TennCare providers in event of excessive delays in payment from MCOs and BHOs because of Y2K computer problems. by *Head.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 13, 1999:

House Resolution No. 55 -- Memorials, Personal Occasion - W. C. and Margaret Duggin, fiftieth wedding anniversary. by *Hood.

House Joint Resolution No. 229 -- Memorials, Public Service - Bill M. Jones. by *Whitson.

House Joint Resolution No. 232 -- Memorials, Interns - Thomas Erick Rucker. by *Robinson, *Fowlkes, *White.

House Joint Resolution No. 233 -- Memorials, Heroism - Henry Lewis Phillips. by *Fowlkes.

House Joint Resolution No. 234 -- Memorials, Recognition - Mildred Grissim, special education assistant. by *Sands.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 115** -- Naming and Designating - Names recreational hall at Camp Clement in honor of Senator Tommy Burks; urges governor to include funding for reconstruction of such building in FY 1999-2000 budget. by *Haun, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

House Finance, Ways and Means Committee

***Senate Joint Resolution No. 120** -- Memorials, Congress - Urges support for Conservation and Reinvestment Act of 1999. by *Ramsey, *Davis L, *Burchett, *Williams, *McNally.

House Finance, Ways and Means Committee

***Senate Joint Resolution No. 210** -- Memorials, Government Officials - Authorizes department of education to include secondary education activities of Carl Perkins Act in unified plan with other workforce development programs. by *Womack.

House Finance, Ways and Means Committee

***Senate Joint Resolution No. 225** -- Highway Signs - "John B. Deakins, Sr. Highway," State Highway 75, Washington County. by *Crowe.

House Finance, Ways and Means Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1976 -- Tusculum - Subject to local approval, in adopting land use planning and zoning within its boundaries, authorizes board of commissioners to restrict factory-manufactured mobile homes in areas designated for residential use; does not apply to modular building units. by *Whitson.

House Bill No. 1977 -- Smyrna - Subject to local approval, grants board of commissioners authority to implement development tax; increases residency requirement for holding elected office from six months to one year; permits board of commissioners to also be sworn in by judge of court of record; provides for special runoff election where ties between two candidates for board cannot be broken by commission vote; establishes employee review board. - Amends Chapter 284 of the Private Acts of 1915; as amended. by *Eckles.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1974 -- Blount County -- Local Bill Held on House Desk

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 130** -- Sunset Laws - State board for licensing alarm systems contractors, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 32. by *Springer. (HB376 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 493** -- Local Government, General - Expands regulation under Tennessee Passenger Transportation Services Act to include limousines, sedans, and shuttles in addition to taxicabs; includes compliance and liability requirements; removes certain language concerning authority of department of safety to regulate passenger services. Amends TCA Title 7, Chapter 51. by *Haynes. (HB983 by *Jones, S., *Odom, *Langster, *Garrett, *Robinson, *Harwell)

Senate Bill No. 990 -- Juvenile Offenders - Prohibits juvenile adjudicated to have committed sexual offense from attending same school as victim. Amends TCA Title 49, Chapter 6, Part 31. by *Williams. (*HB771 by *Hargett)

***Senate Bill No. 1587** -- Aged Persons - Imposes civil penalty of up to \$10,000 per violation on persons who use practices in violation of Tennessee Consumer Protection Act which victimize persons who are at least 60 years of age. Amends TCA Title 47, Chapter 18, Part 1. by *Blackburn, *Crowe, *Miller J, *Williams, *Burks, *Haynes, *Kurita, *Carter, *Burchett, *Person, *Ramsey. (HB1103 by *Godsey, *McDaniel, *Cole (Carter), *Mumpower, *Wood, *Scroggs, *Walker (Rhea), *Rinks, *McKee, *Ford S, *Roach, *Bittle, *Montgomery, *Boyer, *Walley, *Harwell, *Hagood, *Armstrong, *McCord, *Pleasant, *Sharp, *Sargent, *Todd, *Black, *Hassell, *Beavers, *Davis (Washington), *Whitson, *Hargett, *West, *Turner (Shelby), *Jones, S., *Baird, *Buttry)

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 11, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 13, 1999**: House Bill(s) No(s). 2, 760, 1173, 761, 1024, 1865, 703, 181, 1403, 1399, 1395, 301, 299, 1823, 1370, 1254, 1762 and 1772.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 17, 1999**: House Bill(s) No(s). 1924, House Joint Resolution(s) No(s). 202, House Bill(s) No(s). 1190, House Joint Resolution(s) No(s). 53, 54, 55, 84, House Bill(s) No(s). 1311, 1915, House Joint Resolution(s) No(s). 199 and House Bill(s) No(s). 294.

CHILDREN & FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: Senate Joint Resolution(s) No(s). 224, also House Bill(s) No(s). 1514 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1945; also House Bill(s) No(s). 1849 and 1512 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 874, 876, 136, 1670, 1164 and 1859. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 608 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 938 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1759, 1730, House Joint Resolution(s) No(s). 204, 211, 193, 200, 223, 221 and Senate Joint Resolution(s) No(s). 7, also House Bill(s) No(s). 415 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 229 and 1350; also House Bill(s) No(s). 1742, 915 and 1017 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1275, 1502, 671, 981, 452, 1441, 758, 946, 220, 740, 1316, 1530, 1317, 1318, 1319, 1321 and 1752, also House Bill(s) No(s). 328, 972, 629 and 1152 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 395, 460, 350, 368, 370, 371, 380, 391, 901, 1938 and 1034, also House Bill(s) No(s). 344, 347, 362, 359, 384, 390, 899, 373, 386, 357 and 343 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1614, also House Bill(s) No(s). 160 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1466, 1245, 1089, 692, 672 and 1227 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 570, 1807, 1422 and 1344 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1078, 502, 1387 and 875 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

We further report that House Bill(s) No(s). 1247 and 1127 were considered, but failed to pass.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1936, 828, 1961 and Senate Joint Resolution(s) No(s). 21; also House Bill(s) No(s). 1197, 272, House Joint Resolution(s) No(s). 192 and Senate Joint Resolution(s) No(s). 62 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1666 and 1696 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

We further report that House Bill(s) No(s). 147 was considered, but failed to pass.

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 12, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 17, 1999**: House Bill(s) No(s). 754, 1228, 1846, 1916, 906, 1133, 1030, 1196, 376, 869 and 409.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 17, 1999**: House Bill(s) No(s). 1757, House Joint Resolution(s) No(s). 203, 176, House Bill(s) No(s). 385, 393, 397, 402, 1680, 521 and 1347.

The Committee further reports that House Bill No. 396 was referred to the Budget Subcommittee.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1656, 1662 and 1688 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1714, also House Bill(s) No(s). 254 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1279 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1776, 1733, 1455, 1860, 1861, 1869, 1875, 1895, 1917, 1683 and 1369, also House Bill(s) No(s). 1734, 1540, 1965, 1857, 1577, 1528, 1676 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1308, 1818, 1508, 1661, 1613 and 1618 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1504, 1682, 995, 996, 997, 1837 and 989; also House Bill(s) No(s). 749, 1180, 1862 and 1547 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CAPTION BILLS REFERRED

May 12, 1999

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1581 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 1581 -- Intergovernmental Relations -- House Finance, Ways and Means Committee

CONSENT CALENDAR

House Resolution No. 51 -- Memorials, Recognition and Thanks - Brenda Williams, "Gee, I Thought Nobody Noticed Award" recipient. by *Windle.

House Resolution No. 52 -- Memorials, Recognition - Claiborne Street Missionary Baptist Church, 40th Anniversary. by *Pruitt, *Briley, *Jones, S., *Garrett, *Robinson, *Arriola, *Odum, *Harwell.

House Resolution No. 53 -- Memorials, Professional Achievement - Emily Millsaps, Tennessee Teachers Hall of Fame. by *Mumpower.

House Joint Resolution No. 225 -- Memorials, Professional Achievement - Yvonne Becton, 1999 Victim Services Professional of the Year. by *Hargett.

House Joint Resolution No. 226 -- Memorials, Professional Achievement - William Glynn "Bill" Ramsey, Criminal Justice Professional of the Year Award recipient. by *Hargett.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1103 -- Aged Persons - Imposes civil penalty of up to \$10,000 per violation on persons who use practices in violation of Tennessee Consumer Protection Act which victimize persons who are at least 60 years of age. Amends TCA Title 47, Chapter 18, Part 1. by *Godsey, *McDaniel, *Cole (Carter), *Mumpower, *Wood, *Scroggs, *Walker (Rhea), *Rinks, *McKee, *Ford S., *Roach, *Bittle, *Montgomery, *Boyer, *Walley, *Harwell, *Hagood, *Armstrong, *McCord, *Pleasant, *Sharp, *Sargent, *Todd, *Black, *Hassell, *Beavers, *Davis (Washington), *Whitson, *Hargett, *West, *Turner (Shelby), *Jones, S., *Baird, *Buttry. (*SB1587 by *Blackburn, *Crowe, *Miller J., *Williams, *Burks, *Haynes, *Kurita, *Carter, *Burchett, *Person, *Ramsey)

Further consideration of House Bill No. 1103 previously considered on April 26, 1999, April 28, 1999 and May 2, 1999, at which time it was reset for today's Calendar.

On motion, House Bill No. 1103 was made to conform with **Senate Bill No. 1587**; the Senate Bill was substituted for the House Bill.

Rep. Godsey moved that Senate Bill No. 1587 be passed on third and final consideration.

Rep. Godsey moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Godsey moved that **Senate Bill No. 1587** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1111 -- Textbooks - Modifies textbook adoption process - TCA Sections 49-3-310, 49-6-2203, 49-6-2204, and 49-6-2207. by *Montgomery, *Ford S, *Walker (Rhea). (*SB1595 by *Elsea, *Atchley, *Burks, *Crowe)

Further consideration of House Bill No. 1111 previously considered on May 5, 1999, at which time it was reset for today's Calendar.

On motion, House Bill No. 1111 was made to conform with **Senate Bill No. 1595**; the Senate Bill was substituted for the House Bill.

Rep. Montgomery moved that **Senate Bill No. 1595** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0
Present and not voting1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

House Bill No. 1953 -- Caryville - Subject to local approval, revises hotel motel tax. Amends Chapter 39 of the Private Acts of 1981. by *Baird. (SB1947 by *McNally)

Further consideration of House Bill No. 1953 previously considered on May 3, 1999 and May 5, 1999, at which time it was reset for today's Calendar.

Rep. Baird moved that **House Bill No. 1953** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0
Present and not voting	8

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives present and not voting were: Brooks, Hargrove, Head, Jackson, Ridgeway, Rinks, Sharp, White -- 8.

A motion to reconsider was tabled.

***House Bill No. 645** -- Boards and Commissions - Requires boards and commissions attached to division of health related boards and to division of regulatory boards to suspend or revoke license of any person under their jurisdiction who has defaulted on state or federal student loan. Amends TCA Title 56, Title 62 and Title 63. by *Patton, *Caldwell, *Mumpower, *Davis (Washington), *Ford S., *Tidwell, *Maddox, *Montgomery, *Pleasant, *Beavers, *Black, *Dunn, *Hargett, *Newton, *Hood, *Todd, *Baird, *Buttry. (SB1216 by *Fowler)

Further consideration of House Bill No. 645 previously considered on April 28, 1999 and May 5, 1999, at which time it was reset for today's Calendar.

Rep. Patton requested that House Bill No. 645 be moved to the heel of the Calendar.

***House Bill No. 1919** -- Education - Requires certain students to disclose certain adjudications and convictions as requisite for enrollment or re-enrollment in LEA. Amends TCA Title 37 and Title 49. by *DeBerry L. (SB1888 by *Dixon)

Further consideration of House Bill No. 1919 previously considered on May 5, 1999, at which time it was reset for today's Calendar.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Rep. L. DeBerry moved that House Bill No. 1919 be reset for the Regular Calendar on May 28, 1999, which motion prevailed.

***House Bill No. 808** -- Consumer Protection - Creates "Year 2000 Citizens' Protection Act." Amends TCA Title 47. by *Odom, *Miller L. (SB949 by *Herron)

Further consideration of House Bill No. 808 previously considered on May 6, 1999, at which time it was reset for today's Calendar.

Rep. Odom moved that House Bill No. 808 be passed on third and final consideration.

Rep. Buck requested that House Bill No. 808 be moved down 5 places on the Calendar.

House Bill No. 1704 -- Motor Vehicles, Titling and Registration - Authorizes department of safety to administratively issue collegiate plates for two-year and four-year colleges and universities located within the several states and District of Columbia Amends TCA Title 55, Chapter 4. by *Fitzhugh. (*SB1122 by *Cooper)

Further consideration of House Bill No. 1704 previously considered on May 6, 1999, at which time it was reset for today's Calendar.

Rep. Fitzhugh moved that House Bill No. 1704 be reset for the Regular Calendar on May 17, 1999, which motion prevailed.

***House Bill No. 878** -- Animals - Authorizes department of agriculture to indemnify persons for costs of destroyed honeybees. Amends TCA Title 44, Chapter 15, Part 2. by *Kerr, *Baird. (SB1135 by *Clabough)

Further consideration of House Bill No. 878 previously considered on May 6, 1999, at which time it was reset for today's Calendar.

On motion, House Bill No. 878 was made to conform with **Senate Bill No. 1135**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kerr moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1135 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 15, Part 2, is amended by adding the following language as a new, appropriately designated section:

§44-15-2___. The commissioner may establish procedures for the payment of indemnities for honey bee colonies destroyed under the authority of this chapter. Indemnity under this section is not intended to be a full reimbursement but a partial compensation based on, but not limited to, the value of the colonies and the availability of funds for such purpose. Indemnification may be disallowed if the owner is in violation of this chapter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Kerr moved that **Senate Bill No. 1135**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 375 -- Sunset Laws - Board of cosmetology, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 4, r. by *Kernell, *Garrett, *Brooks. (*SB128 by *Springer)

Further consideration of House Bill No. 375 previously considered on May 6, 1999, at which time it was reset for today's Calendar.

Rep. Kernell requested that House Bill No. 375 be moved down 5 places on the Calendar.

House Bill No. 1782 -- Taxes, Real Property - Redefines "mobile home park" to change from three or more to two or more, number of rental spaces for moveable structures on parcel or contiguous parcels under common ownership. Amends TCA Title 67, Chapter 5, Part 8. by *Bunch. (*SB1688 by *Miller J)

Rep. Bunch moved that House Bill No. 1782 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1782 By deleting Section 1 in its entirety, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 67-5-802, is amended by adding the following new subsection:

() If the owner of land prevails in a suit for reimbursement of taxes against the owner of a mobile home or other movable structure located on the land, the owner of land shall be entitled to recover the costs of suit including reasonable attorney's fees.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Bunch moved that **House Bill No. 1782**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 808** -- Consumer Protection - Creates "Year 2000 Citizens' Protection Act." Amends TCA Title 47. by *Odom, *Miller L. (SB949 by *Herron)

Further consideration of House Bill No. 808 previously considered on today's Calendar.

Rep. Odom moved that House Bill No. 808 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 808 by deleting all the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding thereto sections 2 through 5 of this act as a new, appropriately designated part.

SECTION 2. This act shall be known and may be cited as the "Year 2000 Citizens' Protection Act".

SECTION 3. The general assembly hereby finds that society is heavily reliant upon computers, technology, and the rapid electronic transfer and exchange of accurate information and data. The general assembly further finds that society relies heavily upon computer technology for most aspects of daily living and business including, but not limited to, financial transactions. The general assembly further finds that the rapid growth of technology has often outpaced the capabilities of the electronic equipment, software, and hardware that our society utilizes for the exchange and transfer of data and other information. The general assembly finds that recently developed computer technology is the operational basis for much of the current hardware and software, and yet it may not recognize the year 2000 date change. The general assembly finds that the result may be that in the year 2000, many computer-based systems may fail or cause incorrect data or other information to be processed. This potential world-wide deficiency in computers is often referred to as the "Y2K bug" and may cause significant problems in the transfer and exchange of data and information in the year 2000 and beyond. Accordingly, the general assembly hereby determines that in order to protect the citizens of the state of Tennessee, it is appropriate to limit their liability against adverse financial ramifications resulting from electronic computing device failures associated with the year 2000 date change.

SECTION 4. For purposes of this act, unless the context otherwise requires, "electronic computing device" means any computer hardware or software, computer chip, embedded chip, process control equipment, or other information system that:

(1) is used to capture, store, manipulate, or process data; or

(2) controls, monitors, or assists in the operation of physical apparatus that is not primarily used as a computer but that relies on automaton or digital technology to function, including but not limited to vehicles, vessels, buildings, structures, facilities, elevators, medical equipment, traffic signals, and factory machinery.

SECTION 5.

(a) Notwithstanding any other provision of law to the contrary, no person or entity of this state nor any person who transacts business with the citizens of this state on matters directly or indirectly affecting real or personal property, whether tangible or intangible, mortgages, credit accounts, banking and financial transactions, or property interests in this state shall initiate or cause to be initiated any foreclosure proceeding, default, or other adverse action against any person due to the improper or incorrect transmission of data or other information or resulting from the inability of a financial transaction to occur, as a result, in whole or in part, of a failure of an electronic computing device to accurately compute, recognize, or timely process the year 2000 date change.

(b) Notwithstanding any other provision of law to the contrary, no person or entity may initiate or cause to be initiated any adverse or enforcement action, whether based on contract or otherwise, against any person or entity who fails to or who is unable to cause payment, acts, forbearance, or other financial transactions to occur in a timely manner due to the inability of either party to have such necessary data, information, payments, fund transfer, checking, or other such financial transaction to occur as a result, in whole or in part, of the failure of an electronic computing device to compute, recognize, or timely process the year 2000 date change.

(c) The prohibitions set forth in subsections (a) and (b) shall apply but are not limited to the following types of transactions:

- (1) Mortgages;
- (2) Contracts;
- (3) Landlord and tenant relations;
- (4) Consumer credit obligations;
- (5) Utilities; and
- (6) Banking transactions.

(d)(1) No action otherwise prohibited by subsections (a) through (c) shall resume (A) until the latter of sixty (60) days after January 1, 2000, or (B) sixty (60) days after the obligor has been notified of, or is otherwise aware of, a default and such default has not been cured within the sixty (60) day period.

(2) In any action permitted after a default and the obligor's failure to cure, the plaintiff shall be limited either to the actual economic loss which arises from the failure of an electronic computing device or to the liquidated damages provided in a contract between the plaintiff and defendant. In any action based on the failure of an electronic computing device, punitive damages shall be disallowed unless the plaintiff proves that the economic damages suffered resulted from conscious and flagrant disregard, rather than mere negligence on the part of the defendant.

(e) This act shall not affect those transactions upon which a default has occurred prior to any disruption of financial or data transfer operations attributable to the year 2000 date change.

(f) This act shall not dissolve but shall only suspend the enforcement of such obligations.

(g) A credit reporting agency operating in this state shall not report any negative credit information resulting, in whole or in part, from the failure of an electronic computing device to process financial information and other information or the inability of the consumer to transact financial business and make payments due to the failure of an electronic computing device to compute, recognize, or timely process the year 2000 date change.

(h) Nothing contained in this part shall prohibit any agency of this state or any state, or any agency of the United States from bringing any regulatory enforcement action against any person or entity, over which such agency may regulate or license, arising from any financial transaction, including those cited in subsection (c) above and any bank, securities, or insurance transaction; provided, further that nothing in this part shall prohibit any Title IV-D child support agency of this or any other state, or its contractors from establishing, modifying or enforcing any child support obligation at any time.

(i)(1) Nothing contained in this part shall prohibit any person or entity from issuing billing statements or charges, defaults, or customary notices of late payment prior to receiving notice that failure to perform or make payment is due in whole or in part to the failure of an electronic computing device. Regarding the failure of a person to perform or cause payment, acts, forbearance or other financial transactions to occur in a timely manner, no additional late payment or charges or notices of late payment shall be sent to a person for a period not to exceed sixty (60) days once that person has provided a copy of a written verification to substantiate that such failure is a result, in whole or in part, of a failure of an electronic computing device to accurately compute, recognize or timely process the year 2000 date change. Such written verification shall be duly issued by the owner or operator of the computing device and shall indicate the expected time within which the computing device malfunction is to be corrected.

(2) Any person providing fraudulent notice subjects the obligor to all costs incurred by the creditor to collect payment, including attorneys fees as a result of the false report.

SECTION 6. This act is repealed effective December 31, 2001.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 808 by deleting from subsection (d)(1) of Section 5 as amended by House Judiciary Committee Amendment 1 the language "shall resume (A) until the latter of " and substituting instead the language "shall resume until the latter of (A)".

AND FURTHER AMEND by adding the following as a new subsection (j) to Section 5 as amended by House Judiciary Committee Amendment 1:

(j) The provisions of this Section shall not limit, delay, or postpone any action based on a contract between the parties which specifically warrants the performance of an electronic computing device with regard to its ability to accurately compute, recognize, or timely process the year 2000 date change.

AND FURTHER AMEND by deleting subsection (h) of Section 5 as amended by House Judiciary Committee Amendment 1 in its entirety and by substituting instead the following:

(h)(1) Nothing contained in this part shall prohibit any agency of this state or any state, or any agency of the United States from bringing any regulatory enforcement action against any person or entity, over which such agency may regulate or license, arising from any financial transaction, including those cited in subsection (c) above and any bank, securities, or insurance transaction.

(2) In Title IV-D child support cases, the department of human services shall not take any adverse action for a period not to exceed sixty (60) days from the date a written notification is received from an obligor of child support that the obligor is unable to access the funds necessary to pay the child support obligation because the funds are being held by a third party and cannot be accessed due to the inability of the computer equipment of the third party to recognize a year 2000 date change. Proof of the third party's inability to make the obligor's resources available must be supplied to the department or its contractor within two (2) weeks of the obligor's notification of the department with an estimate when the funds will be available.

On motion, Judiciary Committee Amendment No. 2 was adopted.

Rep. Odom moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 808 by designating the language of Section 4, of House Judiciary Committee Amendment No. 1, beginning with "electronic computing device", as item (1) and by adding as a new item (2) the following:

(2) "notice" means actual or constructive notice that a default of an obligated party is attributable in whole or in part to the failure of an electronic computing device. Such notice shall be subject to verification as provided herein.

AND FURTHER AMEND by inserting in Section 5(a) and (b) of House Judiciary Committee Amendment No. 1, the words "upon notice" between the words "law to the contrary," and "no person".

AND FURTHER AMEND by deleting subsection (g) of House Judiciary Committee Amendment No. 1 and by substituting instead the following:

(g) Upon notice no person shall report to a credit reporting agency for a period of sixty (60) days any negative credit information against any person due in whole or in part to the failure of an electronic computing device to process financial information and other information or the inability of the consumer to transact financial business and make payments due to the failure of an electronic computing device to compute, recognize, or timely process the year 2000 date change, provided the consumer has provided the written verification prescribed in Section (i). After sixty (60) days, negative credit information may be reported if the person on whom such report is made has failed within the sixty (60) days to cure the default which would result in a negative report.

On motion, Amendment No. 3 was adopted.

Rep. Odom moved that **House Bill No. 808**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Caldwell -- 1.

A motion to reconsider was tabled.

***House Bill No. 1848** -- Probation and Parole - Allows notice of parole board hearings to be made by electronic means; transfers certain responsibilities from board of probation and parole to department of correction. Amends TCA Title 40. by *McKee. (SB1768 by *Fowler)

Rep. McKee moved that House Bill No. 1848 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1848 by deleting the language following the enacting clause in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-28-102, is amended by adding the following language as a new subdivision (4) and renumbering the remaining subdivisions accordingly.

(4) "Notification" as used in this part may include telephone, facsimile and internet communications.

SECTION 2. Tennessee Code Annotated, Section 40-28-107, is amended by deleting the words "a written list of" and "in writing" wherever they appear.

SECTION 3. Tennessee Code Annotated, Section 40-28-505, is amended by adding the following new language at the end of subsection (b) subdivision (4):

Electronic notification may be used, in addition to, but not in lieu of written notification to a victim or a victim's representative.

SECTION 4. Tennessee Code Annotated, Section 40-28-115, subsection (h) and subsection (i) are amended by deleting the word "board" wherever it may appear and substituting instead the language "department of correction".

SECTION 5. Tennessee Code Annotated, Section 40-28-129, is amended by deleting the word "board" wherever it may appear and substituting instead the language "department of correction".

SECTION 6. Tennessee Code Annotated, Section 40-35-501 (l) is amended in subdivision (1) by deleting the words "board of pardons and paroles" and "board" wherever they may appear and substituting instead the language "department of correction". Tennessee Code Annotated, Section 40-35-501 (l) is further amended in subdivision (2) by deleting the word "board" wherever it may appear and substituting instead "department of correction".

SECTION 7. This act shall take effect on becoming law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. McKee moved that **House Bill No. 1848**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1120 -- Tattoo Parlors and Piercing Establishments - Revises laws pertaining to regulation of tattoo parlors. Amends TCA Title 62, Chapter 38. by *Davis (Washington), *McDaniel, *West, *Montgomery. (*SB1604 by *Burchett, *McNally, *Crowe)

On motion, House Bill No. 1120 was made to conform with **Senate Bill No. 1604**; the Senate Bill was substituted for the House Bill.

Rep. Davis (Washington) moved that Senate Bill No. 1604 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Davis (Washington) moved that **Senate Bill No. 1604** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 375 -- Sunset Laws - Board of cosmetology, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 4, r. by *Kernell, *Garrett, *Brooks. (*SB128 by *Springer)

Further consideration of House Bill No. 375 previously considered on today's Calendar.

On motion, House Bill No. 375 was made to conform with **Senate Bill No. 128**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 128 be passed on third and final consideration.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 128 By deleting in its entirety Section 2 of the printed bill and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-226(a), is amended by adding the following new item thereto:

() Board of cosmetology, created by Section 62-4-103;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Brooks moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Kernell moved that **Senate Bill No. 128**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1125** -- Children, Employment of - Prohibits selling of goods or services in certain circumstances by minors under age 16; specifies penalty for employers violating youth-peddling provisions. Amends TCA Section 50-5-102. by *Scroggs, *Boyer. (SB1609 by *Clabough, *McNally)

On motion, House Bill No. 1125 was made to conform with **Senate Bill No. 1609**; the Senate Bill was substituted for the House Bill.

Rep. Scroggs moved that Senate Bill No. 1609 be passed on third and final consideration.

Rep. West requested that Consumer and Employee Affairs Committee Amendment No. 1 be moved to the heel of the Amendments.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 2.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. Turner (Shelby) moved the previous question, which motion prevailed.

Rep. Scroggs moved that **Senate Bill No. 1609** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

House Bill No. 504 -- Highways, Roads and Bridges - Changes name of "Local Interstate Connecting Route Act" to "Local Interstate and Limited Access Highway Connector Act"; makes conforming changes to expand scope of act to include limited access highways. Amends TCA Title 54, Chapter 5, Part 5. by *Black. (*SB509 by *Graves)

On motion, House Bill No. 504 was made to conform with **Senate Bill No. 509**; the Senate Bill was substituted for the House Bill.

Rep. Black moved that Senate Bill No. 509 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Black moved that **Senate Bill No. 509** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 1864** -- Boards and Commissions - Allows health related boards to issue temporary licenses to applicants pending final determination on application by such board; limits effective date of such temporary licenses to six months; prohibits proof of such temporary licensure being used as estoppel by applicants who are later denied permanent licensure. Amends TCA Title 63, Chapter 1. by *Black, *McDaniel. (SB1785 by *Fowler)

Rep. Black moved that House Bill No. 1864 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1864 By deleting in its entirety all the language following the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1 is amended by adding the following language as a new, appropriately designated section, which shall read as follows:

Section _____. (a) Any board regulated by this title may authorize any of its members or its designee to conduct a review of the qualifications of an applicant for a license to practice such profession in this state and to make an initial determination as to whether the applicant has met all the requirements for licensure. If the board member or board designee determines that the applicant has met all the requirements for a license, the board member or board designee has the authority to issue to such applicant a temporary authorization to practice, and, once the temporary authorization is issued, the applicant is then authorized to practice such profession in this state until the board makes a final decision on the application for a license. Such temporary authorization, once issued, shall be deemed to be a valid license for all purposes, granting to the applicant all rights that would attach if the person had been issued a permanent license at that time. The board may authorize the use of this procedure with respect to applicants for initial licenses, temporary permits, temporary licenses, renewal of license, and license reinstatement if the issuance of temporary permits, temporary licenses, renewal of license and license reinstatement is otherwise authorized by such board's practice act. In no event shall the temporary authorization issued pursuant to an initial determination made by a board member or board designee be effective for longer than a six-month period measured from the date of issuance. The applicant shall not utilize this process for the same reason more than once.

(b) If temporary authorization, pursuant to subsection (a), is issued to an applicant and if the subsequent decision of the board is to deny the application based upon a determination that the applicant has not complied with all the requirements for licensure, then the initial approval from that point forward shall immediately become null and void, and the applicant shall be notified immediately. In this event, the doctrine of estoppel shall not apply against the state based upon its issuance of temporary authorization and its subsequent denial of licensure.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Black moved that **House Bill No. 1864**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	6

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Goins, Gunnels, Hagood, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Brooks, Godsey, Hargett, Rhinehart, Sharp, Towns -- 6.

A motion to reconsider was tabled.

***House Bill No. 470** -- Fences and Enclosures - Adds additional types of fencing to inventory of sufficient fences; deletes provisions requiring enclosure of cotton gins, saltpeter and saltworks; deletes provisions relative to grazing and ranging of livestock Amends TCA Title 44, Chapter 8. by *Givens, *Walker (Rhea). (SB658 by *Cooper, *Williams)

On motion, House Bill No. 470 was reset for the Regular Calendar on May 17, 1999, without objection.

House Bill No. 1424 -- Fair Trade Laws - Reinstates Unfair Cigarette Sales Law as existed prior to 1998 revision removing wholesalers; retains provision added in 1998 to allow retailers to participate in manufacturers' incentive programs, discounts and special price programs. Amends TCA Title 47, Chapter 25. by *Rinks, *Naifeh. (*SB1515 by *Cooper)

Rep. Rinks moved that House Bill No. 1424 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1424 By deleting the original item (4) of the amendatory Section 47-25-302 in Section 1 in its entirety and by renumbering subsequent items accordingly.

AND FURTHER AMEND by deleting the language "plus the cost of doing business by the wholesaler" in the original item (6) of the amendatory Section 47-25-302 in Section 1.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Rinks moved that **House Bill No. 1424**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	1
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Brown, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Lewis, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Buck -- 1.

Representatives present and not voting were: Briley, Brooks, Caldwell, Kernell, Maddox -- 5.

A motion to reconsider was tabled.

***House Bill No. 429** -- Criminal Offenses - Requires that person convicted of vehicular assault be prohibited from driving for period of 3 to 10 years. Amends TCA Section 39-13-106. by *Hargett. (SB1362 by *Person)

Rep. Hargett moved that House Bill No. 429 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 429 by deleting SECTION 1 of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-106, is amended by adding the following as a new appropriately designated subsection:

(_) Upon the conviction of a person for the first offense of vehicular assault, the court shall prohibit such convicted person from driving a vehicle in this state for a period of one (1) year. For the second such conviction, the court shall prohibit such convicted person from driving a vehicle in this state for a period of two (2) years. For the third such conviction, the court shall prohibit such convicted person from driving a vehicle in this state for a period of three (3) years. For fourth and subsequent convictions, the court shall prohibit the person from driving a vehicle in this state for a period of five (5) years.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Hargett moved that **House Bill No. 429**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

House Bill No. 983 -- Local Government, General - Expands regulation under Tennessee Passenger Transportation Services Act to include limousines, sedans, and shuttles in addition to taxicabs; includes compliance and liability requirements; removes certain language concerning authority of department of safety to regulate passenger services. Amends TCA Title 7, Chapter 51. by *Jones, S., *Odom, *Langster, *Garrett, *Robinson, *Harwell. (*SB493 by *Haynes)

On motion, House Bill No. 983 was made to conform with **Senate Bill No. 493**; the Senate Bill was substituted for the House Bill.

Rep. S. Jones moved that Senate Bill No. 493 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 493 By adding the following as an appropriately designated new section and by redesignating the subsequent sections accordingly:

SECTION _____. The provisions of this act shall only apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census; and in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than:</u>	<u>nor more than:</u>
287,700	287,800
319,625	319,725
770,000	780,000.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. S. Jones requested that Senate Bill No. 493 be moved to the heel of the Calendar.

House Bill No. 954 -- Firearms and Ammunition - Defines "personalized handgun"; restricts selling, assigning or otherwise transferring any handgun in this state unless it is personalized handgun; provides for personalized handgun study commission. Amends TCA Title 39, Chapter 17, Part 13. by *Brooks, *Cooper B, *Jones, S., *Brown, *Pruitt, *DeBerry L, *Bowers. (*SB469 by *Harper)

Rep. Brooks moved that House Bill No. 954 be reset for the Regular Calendar on May 13, 1999, which motion prevailed.

House Bill No. 1453 -- Workers' Compensation - Requires department of labor to file annual report listing employers that fail to provide workers' compensation coverage or self-insure, together with any other violations by such employers and the related penalties; report is to be filed with department of audit, general assembly and state depository libraries. Amends TCA Title 50, Chapter 6, Part 1. by *Briley, *West, *Jones, S., *Newton, *Langster, *Baird, *Pleasant, *Cooper B, *Turner (Shelby). (*SB200 by *Haynes)

Rep. Briley moved that House Bill No. 1453 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1453 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, Part 1, is amended by adding the following as a new section:

No later than December 31 of each year, the department of labor shall produce a report that includes a listing of the name of each covered employer that failed, during the preceding state fiscal year, to provide workers compensation coverage or qualify as a self-insured employer as required by law. Only those employers whose failure resulted in periods of non-coverage shall be included within the report. Such report shall also include the penalty assessed by the department and the payment status of such penalty. The report shall be provided to the advisory council on workers' compensation, the oversight committee on workers' compensation, and the chairpersons of the senate commerce, labor and agriculture committee and the house consumer and employee affairs committee.

SECTION 2. The oversight committee on workers' compensation is directed to review issues and provide recommendations relating to covered employers' failure to comply with the insurance provisions of the workers' compensation law, and the need to ensure the timely provision of workers' compensation benefits to workers injured during periods of employer non-compliance. The issues to be considered shall include:

(a) Financial and medical impact upon workers injured during periods of non-compliance by an employer;

(b) Enforcement efforts and powers of the department of labor relating to insurance compliance and the provision of workers' compensation benefits to workers injured during periods of non-compliance by an employer;

(c) Potential roles of the assigned risk plan and the second injury fund to provide benefits to workers injured during periods of non-compliance by an employer;

(d) Departmental authorities and procedures necessary to hold employers financially accountable for workers' compensation benefits provided to workers injured during periods of non-compliance by an employer; and

(e) Any such other matters as the oversight committee deems necessary to address these and related issues.

The committee shall present its conclusions and recommendations to the general assembly by January 15, 2000. The provisions of this section shall not be codified.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Briley moved that **House Bill No. 1453**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 992 -- Business Organizations - Revises and makes technical corrections to LLC statute. Amends TCA Title 48. by *Hargrove. (*SB917 by *Rochelle, *Kyle)

Further consideration of House Bill No. 992 previously considered on May 10, 1999, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

On motion, House Bill No. 992 was made to conform with **Senate Bill No. 917**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that **Senate Bill No. 917** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
 Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1963 -- White County - Subject to local approval, enacts "White County Mobile Home Park Regulations." by *Curtiss. (SB1961 by *Elsea)

Further consideration of House Bill No. 1963 previously considered on May 10, 1999, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

Rep. Curtiss moved that **House Bill No. 1963** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
 Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 507** -- Contractors - Authorizes state board for licensing contractors to suspend or revoke license or renewal of license for failure of contractor to pay subcontractors in accordance with contracts or agreements between contractor and subcontractor. Amends TCA Title 62, Chapter 6. by *Head. (SB904 by *Rochelle)

Further consideration of House Bill No. 507 previously considered on May 10, 1999, at which time it was reset for today's Calendar.

On motion, House Bill No. 507 was made to conform with **Senate Bill No. 904**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 904 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Head moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 904 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-6-102, is amended by adding the following new subdivision:

(3)(D)(iii) Subcontractors other than electrical subcontractors, mechanical subcontractors and plumbing subcontractors required to be licensed pursuant to subdivision (3)(A) of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Curtiss moved the previous question, which motion prevailed.

Rep. Head moved that **Senate Bill No. 904**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 1650** -- Landlord and Tenant - Authorizes landlords to tow or otherwise remove certain vehicles from real property rented or leased for residential purposes for certain traffic, parking and nuisance violations; deletes present law on subject Amends TCA Title 55, Chapter 16 and Title 66, Chapter 28. by *Williams (Williamson). (SB1851 by *Ramsey)

Further consideration of House Bill No. 1650 previously considered on May 3, 1999, May 5, 1999 and May 10, 1999, at which time it was reset for today's Calendar.

On motion, House Bill No. 1650 was made to conform with **Senate Bill No. 1851**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 1851 be passed on third and final consideration.

Rep. Chumney moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Chumney moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1851 by deleting from subsection (a) and (d) of Section 1 of the printed bill the language "seven (7)" and by substituting instead the language "ten (10)".

AND FURTHER AMEND by deleting from subsection (b) of Section 1 of the printed bill the language "rules and regulations, posted signage and/or the landlord's lease agreement" and by substituting instead "posted signage".

On motion, Amendment No. 2 was adopted.

Rep. Williams moved that **Senate Bill No. 1851**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	3

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Brown, Cooper, Turner (Hamilton) -- 3.

A motion to reconsider was tabled.

House Bill No. 1442 -- Firearms and Ammunition - Makes failure to report minor's possession of firearm on school property Class A misdemeanor. Amends TCA Title 39, Chapter 17. by *Chumney, *Ferguson, *Brooks. (*SB1187 by *Cohen)

Rep. Chumney moved that House Bill No. 1442 be reset for the Regular Calendar on May 13, 1999, which motion prevailed.

***House Bill No. 645** -- Boards and Commissions - Requires boards and commissions attached to division of health related boards and to division of regulatory boards to suspend or revoke license of any person under their jurisdiction who has defaulted on state or federal student loan. Amends TCA Title 56, Title 62 and Title 63. by *Patton, *Caldwell, *Mumpower, *Davis (Washington), *Ford S., *Tidwell, *Maddox, *Montgomery, *Pleasant, *Beavers, *Black, *Dunn, *Hargett, *Newton, *Hood, *Todd, *Baird, *Buttry. (SB1216 by *Fowler)

Further consideration of House Bill No. 645 previously considered on today's Calendar.

Rep. Davidson moved that House Bill No. 645 be reset for the Regular Calendar on May 19, 1999, which motion prevailed.

***Senate Bill No. 493** -- Local Government, General - Expands regulation under Tennessee Passenger Transportation Services Act to include limousines, sedans, and shuttles in addition to taxicabs; includes compliance and liability requirements; removes certain language concerning authority of department of safety to regulate passenger services. Amends TCA Title 7, Chapter 51. by *Haynes. (HB983 by *Jones, S., *Odom, *Langster, *Garrett, *Robinson, *Harwell)

Further consideration of Senate Bill No. 493 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No. 1.

Rep. S. Jones moved that Senate Bill No. 493 be reset for the Regular Calendar on May 13, 1999, which motion prevailed.

UNFINISHED BUSINESS

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for May 12, 1999:

House Joint Resolution No. 228 -- Memorials, Recognition - Alpha Tau Omega, Zeta Phi chapter's philanthropic efforts. by *Ridgeway, *Naifeh, *Maddox, *Pinion.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Supplemental Consent Calendar for May 12, 1999:

Senate Joint Resolution No. 50 -- Memorials, Public Service - Nancy Peterson, TRICOR Board of Directors. by *Kyle, *Rochelle, *Harper, *Dixon, *Henry.

Senate Joint Resolution No. 56 -- Memorials, Recognition and Thanks - Audrey Roberts. by *Kyle, *Herron.

Senate Joint Resolution No. 83 -- Memorials, Recognition and Thanks - Representative Stratton Bone, former TRICOR member. by *Kyle, *Henry, *Graves, *Rochelle, *Springer.

Senate Joint Resolution No. 258 -- Memorials, Academic Achievement - Sarah Kahle, Valedictorian, Bible Baptist Academy. by *Kurita.

Senate Joint Resolution No. 261 -- Memorials, Academic Achievement - Paula Helton, Valedictorian, Cheatham County Central High School. by *Kurita.

Senate Joint Resolution No. 262 -- Memorials, Death - John Bibb, sportswriter for The Tennessean. by *Henry, *Harper, *Kyle, *Springer.

Senate Joint Resolution No. 281 -- Memorials, Academic Achievement - Katori Lynn Hall, Craigmont High School Valedictorian. by *Kyle.

Senate Joint Resolution No. 283 -- Memorials, Death - Sarah Byrd Douglas Posey. by *Cooper.

Senate Joint Resolution No. 284 -- Memorials, Retirement - Chief Eugene Keel. by *Kurita.

Senate Joint Resolution No. 285 -- Memorials, Recognition - Carol Emerson Morrow. by *Kurita.

Senate Joint Resolution No. 286 -- Memorials, Academic Achievement - April Simmons, Salutatorian, Cheatham County Central High School. by *Kurita.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 287 -- Memorials, Academic Achievement - Donald Chadwick Lamb, Valedictorian, Eagleville High School. by *Womack.

Senate Joint Resolution No. 288 -- Memorials, Academic Achievement - Stephanie Richardson, Salutatorian, Eagleville High School. by *Womack.

Senate Joint Resolution No. 289 -- Memorials, Academic Achievement - Nicole Elliott, LaVergne High School Valedictorian. by *Womack.

Senate Joint Resolution No. 290 -- Memorials, Academic Achievement - Matthew R. Givens, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 291 -- Memorials, Academic Achievement - Candice Marie LeMaster, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Rachel Elizabeth Reagh, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 293 -- Memorials, Academic Achievement - Jacob Srodka, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 294 -- Memorials, Academic Achievement - Nicholas Anthony Tressler, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 295 -- Memorials, Academic Achievement - Rachel Wall, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 296 -- Memorials, Academic Achievement - Donald F. Winningham III, 1999 Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 297 -- Memorials, Academic Achievement - Andrea Caldwell, Salutatorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 298 -- Memorials, Academic Achievement - Nichole Maraschiello, Salutatorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 299 -- Memorials, Academic Achievement - Patrick James Rothschild, LaVergne High School Salutatorian. by *Womack.

Senate Joint Resolution No. 300 -- Memorials, Academic Achievement - Sarah Stein, LaVergne High School Salutatorian. by *Womack.

Senate Joint Resolution No. 301 -- Memorials, Academic Achievement - Mandy Lee Baskin, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 302 -- Memorials, Academic Achievement - Griffin Bridgers, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 303 -- Memorials, Academic Achievement - Ryan James Brookshire, Valedictorian, Oakland High School. by *Womack.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 304 -- Memorials, Academic Achievement - Bobbie Burton, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 305 -- Memorials, Academic Achievement - Jennifer Lea Carter, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 306 -- Memorials, Academic Achievement - Alicia Christman, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 307 -- Memorials, Academic Achievement - Tyler Henson, Oakland High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 308 -- Memorials, Academic Achievement - Cheryl Janes, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 309 -- Memorials, Academic Achievement - Jenny Peterson, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 310 -- Memorials, Academic Achievement - Heather Prince, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 311 -- Memorials, Academic Achievement - Erin Rains, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 312 -- Memorials, Academic Achievement - Courtney Roberts, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 313 -- Memorials, Academic Achievement - Megan Leigh Sampley, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 314 -- Memorials, Academic Achievement - Paul "Herb" Wulfsberg, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 315 -- Memorials, Academic Achievement - Julie Arbuckle, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 316 -- Memorials, Academic Achievement - Carrie Eaker, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 317 -- Memorials, Academic Achievement - Jeff Harding, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 318 -- Memorials, Academic Achievement - Matthew Johnson, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 319 -- Memorials, Academic Achievement - Rachel Lavery, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 320 -- Memorials, Academic Achievement - Rebekah Lewis, Riverdale High School, Valedictorian. by *Womack.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 321 -- Memorials, Academic Achievement - Bart Lynch, Riverdale High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 322 -- Memorials, Academic Achievement - Teri Overman, 1999 Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 323 -- Memorials, Academic Achievement - Chris Brown, Salutatorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 324 -- Memorials, Academic Achievement - Andrew Thomas League, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 325 -- Memorials, Academic Achievement - Lauren Leigh Parker, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 326 -- Memorials, Academic Achievement - Kristin Danielle Peck, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 327 -- Memorials, Academic Achievement - Jason James Pitts, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 328 -- Memorials, Academic Achievement - Amanda Hope Womack, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 329 -- Memorials, Academic Achievement - Camilla Michelle Williamson, Salutatorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 330 -- Memorials, Retirement - Willie G. Perpener. by *Wilder.

Senate Joint Resolution No. 331 -- Memorials, Professional Achievement - The Wilburns, first #1 gospel single "Resting Place.". by *Rochelle.

Senate Joint Resolution No. 332 -- Memorials, Retirement - Eddie Gene and Berliden (Dean) Gregory, owners and operators of Gregory Cleaners for 30 years. by *Rochelle.

Senate Joint Resolution No. 333 -- Memorials, Academic Achievement - Danielle Nicole Whitaker, Valedictorian, Kingsbury High School. by *Kyle.

Senate Joint Resolution No. 334 -- Memorials, Academic Achievement - Treveco Dequan Lucas, Valedictorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 335 -- Memorials, Academic Achievement - Rachel Madearis, Raleigh Egypt High School Salutatorian. by *Kyle.

Senate Joint Resolution No. 336 -- Memorials, Academic Achievement - Caressa Shannon Liggins, Raleigh Egypt High School Valedictorian. by *Kyle.

Senate Joint Resolution No. 337 -- Memorials, Academic Achievement - Jessica Johnson, 1999 Salutatorian, Gateway Christian School. by *Kyle.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 338 -- Memorials, Academic Achievement - Shannon Avery Adams, Salutatorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 339 -- Memorials, Academic Achievement - Karen A. Phillips, Valedictorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 340 -- Memorials, Academic Achievement - Stacey Denise Stewart; Salutatorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 344 -- Memorials, Personal Achievement - Jon Travis, Eagle Scout. by *Herron.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended to consider the **Supplemental Consent Calendar**, which motion prevailed.

SUPPLEMENTAL CONSENT CALENDAR

House Joint Resolution No. 228 -- Memorials, Recognition - Alpha Tau Omega, Zeta Phi chapter's philanthropic efforts. by *Ridgeway, *Naifeh, *Maddox, *Pinion.

Senate Joint Resolution No. 50 -- Memorials, Public Service - Nancy Peterson, TRICOR Board of Directors. by *Kyle, *Rochelle, *Harper, *Dixon, *Henry.

Senate Joint Resolution No. 56 -- Memorials, Recognition and Thanks - Audrey Roberts. by *Kyle, *Herron.

Senate Joint Resolution No. 83 -- Memorials, Recognition and Thanks - Representative Stratton Bone, former TRICOR member. by *Kyle, *Henry, *Graves, *Rochelle, *Springer.

Senate Joint Resolution No. 258 -- Memorials, Academic Achievement - Sarah Kahle, Valedictorian, Bible Baptist Academy. by *Kurita.

Senate Joint Resolution No. 261 -- Memorials, Academic Achievement - Paula Helton, Valedictorian, Cheatham County Central High School. by *Kurita.

Senate Joint Resolution No. 262 -- Memorials, Death - John Bibb, sportswriter for The Tennessean. by *Henry, *Harper, *Kyle, *Springer.

Senate Joint Resolution No. 281 -- Memorials, Academic Achievement - Katori Lynn Hall, Craigmont High School Valedictorian. by *Kyle.

Senate Joint Resolution No. 283 -- Memorials, Death - Sarah Byrd Douglas Posey. by *Cooper.

Senate Joint Resolution No. 284 -- Memorials, Retirement - Chief Eugene Keel. by *Kurita.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 285 -- Memorials, Recognition - Carol Emerson Morrow. by *Kurita.

Senate Joint Resolution No. 286 -- Memorials, Academic Achievement - April Simmons, Salutatorian, Cheatham County Central High School. by *Kurita.

Senate Joint Resolution No. 287 -- Memorials, Academic Achievement - Donald Chadwick Lamb, Valedictorian, Eagleville High School. by *Womack.

Senate Joint Resolution No. 288 -- Memorials, Academic Achievement - Stephanie Richardson, Salutatorian, Eagleville High School. by *Womack.

Senate Joint Resolution No. 289 -- Memorials, Academic Achievement - Nicole Elliott, LaVergne High School Valedictorian. by *Womack.

Senate Joint Resolution No. 290 -- Memorials, Academic Achievement - Matthew R. Givens, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 291 -- Memorials, Academic Achievement - Candice Marie LeMaster, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 292 -- Memorials, Academic Achievement - Rachel Elizabeth Reagh, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 293 -- Memorials, Academic Achievement - Jacob Srodka, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 294 -- Memorials, Academic Achievement - Nicholas Anthony Tressler, Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 295 -- Memorials, Academic Achievement - Rachel Wall, LaVergne High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 296 -- Memorials, Academic Achievement - Donald F. Winningham III, 1999 Valedictorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 297 -- Memorials, Academic Achievement - Andrea Caldwell, Salutatorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 298 -- Memorials, Academic Achievement - Nichole Maraschiello, Salutatorian, LaVergne High School. by *Womack.

Senate Joint Resolution No. 299 -- Memorials, Academic Achievement - Patrick James Rothschild, LaVergne High School Salutatorian. by *Womack.

Senate Joint Resolution No. 300 -- Memorials, Academic Achievement - Sarah Stein, LaVergne High School Salutatorian. by *Womack.

Senate Joint Resolution No. 301 -- Memorials, Academic Achievement - Mandy Lee Baskin, Oakland High School Valedictorian. by *Womack.

WEDNESDAY, MAY 12, 1999 -- TWENTY-NINTH LEGISLATIVE DAY

Senate Joint Resolution No. 302 -- Memorials, Academic Achievement - Griffin Bridges, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 303 -- Memorials, Academic Achievement - Ryan James Brookshire, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 304 -- Memorials, Academic Achievement - Bobbie Burton, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 305 -- Memorials, Academic Achievement - Jennifer Lea Carter, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 306 -- Memorials, Academic Achievement - Alicia Christman, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 307 -- Memorials, Academic Achievement - Tyler Henson, Oakland High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 308 -- Memorials, Academic Achievement - Cheryl Janes, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 309 -- Memorials, Academic Achievement - Jenny Peterson, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 310 -- Memorials, Academic Achievement - Heather Prince, Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 311 -- Memorials, Academic Achievement - Erin Rains, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 312 -- Memorials, Academic Achievement - Courtney Roberts, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 313 -- Memorials, Academic Achievement - Megan Leigh Sampley, Oakland High School Valedictorian. by *Womack.

Senate Joint Resolution No. 314 -- Memorials, Academic Achievement - Paul "Herb" Wulfsberg, 1999 Valedictorian, Oakland High School. by *Womack.

Senate Joint Resolution No. 315 -- Memorials, Academic Achievement - Julie Arbuckle, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 316 -- Memorials, Academic Achievement - Carrie Eaker, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 317 -- Memorials, Academic Achievement - Jeff Harding, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 318 -- Memorials, Academic Achievement - Matthew Johnson, Valedictorian, Riverdale High School. by *Womack.

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Senate Joint Resolution No. 319 -- Memorials, Academic Achievement - Rachel Lavery, Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 320 -- Memorials, Academic Achievement - Rebekah Lewis, Riverdale High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 321 -- Memorials, Academic Achievement - Bart Lynch, Riverdale High School, Valedictorian. by *Womack.

Senate Joint Resolution No. 322 -- Memorials, Academic Achievement - Teri Overman, 1999 Valedictorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 323 -- Memorials, Academic Achievement - Chris Brown, Salutatorian, Riverdale High School. by *Womack.

Senate Joint Resolution No. 324 -- Memorials, Academic Achievement - Andrew Thomas League, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 325 -- Memorials, Academic Achievement - Lauren Leigh Parker, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 326 -- Memorials, Academic Achievement - Kristin Danielle Peck, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 327 -- Memorials, Academic Achievement - Jason James Pitts, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 328 -- Memorials, Academic Achievement - Amanda Hope Womack, Valedictorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 329 -- Memorials, Academic Achievement - Camilla Michelle Williamson, Salutatorian, Smyrna High School. by *Womack.

Senate Joint Resolution No. 330 -- Memorials, Retirement - Willie G. Perpener. by *Wilder.

Senate Joint Resolution No. 331 -- Memorials, Professional Achievement - The Wilburns, first #1 gospel single "Resting Place.". by *Rochelle.

Senate Joint Resolution No. 332 -- Memorials, Retirement - Eddie Gene and Berdena (Dean) Gregory, owners and operators of Gregory Cleaners for 30 years. by *Rochelle.

Senate Joint Resolution No. 333 -- Memorials, Academic Achievement - Danielle Nicole Whitaker, Valedictorian, Kingsbury High School. by *Kyle.

Senate Joint Resolution No. 334 -- Memorials, Academic Achievement - Treveco Dequan Lucas, Valedictorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 335 -- Memorials, Academic Achievement - Rachel Madearis, Raleigh Egypt High School Salutatorian. by *Kyle.

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Senate Joint Resolution No. 336 -- Memorials, Academic Achievement - Caressa Shannon Liggins, Raleigh Egypt High School Valedictorian. by *Kyle.

Senate Joint Resolution No. 337 -- Memorials, Academic Achievement - Jessica Johnson, 1999 Salutatorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 338 -- Memorials, Academic Achievement - Shannon Avery Adams, Salutatorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 339 -- Memorials, Academic Achievement - Karen A. Phillips, Valedictorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 340 -- Memorials, Academic Achievement - Stacey Denise Stewart, Salutatorian, Westside High School. by *Kyle.

Senate Joint Resolution No. 344 -- Memorials, Personal Achievement - Jon Travis, Eagle Scout. by *Herron.

Rep. Hargrove moved that all members voting aye on Senate Joint Resolution No. 83 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Fitzhugh moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 13, 1999:

House Bill No. 321: by Rep. Maddox

House Bill No. 297: by Rep. Maddox

House Bill No. 1417: by Rep. Davidson

House Bill No. 985: by Rep. Hargrove

House Bill No. 530: by Rep. Hargrove

House Bill No. 1406: by Rep. Fowlkes

RULES SUSPENDED

Rep. Williams moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 230 out of order, which motion prevailed.

House Joint Resolution No. 230 -- Memorials, Recognition - Fiftieth Annual Franklin Rodeo. by *Williams (Williamson), *Sargent.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 228: Rep(s). Pinion as prime sponsor(s).

House Bill No. 275: Rep(s). Kent and Walker as prime sponsor(s).

House Bill No. 962: Rep(s). Sands and Hargrove as prime sponsor(s).

House Bill No. 1125: Rep(s). Dunn and Sargent as prime sponsor(s).

House Bill No. 1180: Rep(s). Briley, McMillan, Jackson, Newton, Boyer, Beavers, Scroggs, Hargrove and Sands as prime sponsor(s).

House Bill No. 1247: Rep(s). Chumney as prime sponsor(s).

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House Bill No. 1344: Rep(s). Caldwell as prime sponsor(s).

House Bill No. 1399: Rep(s). Ridgeway as prime sponsor(s).

House Bill No. 1485: Rep(s). Head as prime sponsor(s).

House Bill No. 1489: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 1502: Rep(s). Lewis and Curtiss as prime sponsor(s).

House Bill No. 1512: Rep(s). Hargett, McDaniel and Armstrong as prime sponsor(s).

House Bill No. 1528: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 1540: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 1614: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 1696: Rep(s). Hargett and Ford as prime sponsor(s).

House Bill No. 1849: Rep(s). Walley, Lewis, Ferguson, Patton, Sands, Pinion, Maddox, West, Eckles, Langster, Hargett, Arriola, Black, Odom, Bittle, Caldwell, Pruitt, Phelan, Briley and Davis (Washington) as prime sponsor(s).

ENGROSSED BILLS

May 12, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 225 and 226.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

May 12, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 26, 36, 226, 247, 260, 436, 508, 619, 659, 675, 676, 845, 858, 922, 978, 1255, 1495, 1532, 1947, 1948, 1949 and 1964, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENGROSSED BILLS

May 12, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 429, 808, 1424, 1453, 1782, 1848, 1864, 1953 and 1963, also, House Joint Resolution(s) No(s) 228 and 230.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 12, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 243, 528, 1102, 1158, 1449, 1586 and 1850; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 12, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 214, 215, 217, 218 and 219; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

May 12, 1999

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 51, 52, 53 and 54; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 12, 1999

The Speaker signed the following: House Resolution(s) No(s). 51, 52, 53 and 54.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

May 12, 1999

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 243, 528, 1102, 1158, 1449, 1586 and 1850, also, House Joint Resolution(s) No(s) 214, 215, 217, 218 and 219.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 12, 1999

The Speaker signed the following: House Bill(s) No(s). 243, 528, 1102, 1158, 1449, 1586 and 1850; also, House Joint Resolution(s) No(s). 214, 215, 217, 218 and 219.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 12, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 243, 528, 1102, 1158, 1449, 1586 and 1850; also, House Joint Resolution(s) No(s). 214, 215, 217, 218 and 219; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

May 12, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 2.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 12, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 93, 94, 95, 96, 97, 99, 101, 103, 1412, 1618, 1774 and 1880; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 93** -- Sunset Laws - Tennessee medical laboratory board, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 29. by *Springer. (HB370 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 94** -- Sunset Laws - Board of veterinary medical examiners, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 12. by *Springer. (HB369 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 95** -- Sunset Laws - Board of registration in podiatry, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 3. by *Springer. (HB377 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 96** -- Sunset Laws - Board of osteopathic examination, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 9. by *Springer. (HB348 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 97** -- Sunset Laws - Board of examiners for nursing home administrators, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 16. by *Springer. (HB378 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 99** -- Sunset Laws - Board of medical examiners, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 6. by *Springer. (HB349 by *Kernell, *Garrett, *Brooks)

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***Senate Bill No. 101** -- Sunset Laws - Board of optometry, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 8. by *Springer. (HB350 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 103** -- Sunset Laws - Board of dietitian/nutritionist examiners, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 25. by *Springer. (HB380 by *Kernell, *Garrett, *Brooks)

Senate Bill No. 1412 -- Tennessee Wildlife Resources Agency - Requires reciprocal agreements relative to wildlife violations to take effect 30 days after TWRA publishes agreement; authorizes executive director to suspend or reinstate privileges under reciprocal agreement relative to wildlife violations. Amends TCA Section 70-1-302 and Section 70-1-305. by *Rochelle. (*HB1024 by *Jackson)

Senate Bill No. 1618 -- Motor Vehicles - Adds forcing of franchisee by manufacturer to use reconditioned parts in warranty repairs without disclosing such to owner or lessee sufficient grounds for denial, suspension or revocation of motor vehicle dealer license. Amends TCA Title 55, Chapter 17, Part 1. by *Person. (*HB1164 by *Ferguson)

Senate Bill No. 1774 -- Municipal Government - Creates, under Convention Center and Tourism Development Financing Act, option of ceasing apportionment and distribution of incremental increases due to public use facility after 30 years if such 30 year period earlier than other cessation events described under present law. Amends TCA Section 7-88-106. by *Atchley. (*HB1852 by *Armstrong, *McDaniel)

Senate Bill No. 1880 -- Claims Commission, Tennessee - Redefines "state employees" to add board members, staff and volunteers of child advocacy centers that meet start-up or continuation funding requirements under TCA 9-6-123 and perform certain duties, for certain defense and claims commission purposes; does not apply to contractual and percentage basis employees, nor does it confer any other type of benefit. Amends TCA Title 8, Chapter 42, Part 1. by *Crutchfield. (*HB1479 by *Jones, S.)

MESSAGE FROM THE SENATE

May 12, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 263, 264, 275, 276, 277, 278 and 280; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 263 -- Memorials, Sports - Cordova High School Pom Team, Junior Varsity National Champions. by *Person, *Leatherwood.

Senate Joint Resolution No. 264 -- Memorials, Death - Muriel Spoden. by *Ramsey, *Henry, *Crowe.

Senate Joint Resolution No. 275 -- Memorials, Public Service - Korean War Veterans, 6147th Tactical Group "Mosquitos.". by *Crowe.

Senate Joint Resolution No. 276 -- Memorials, Academic Achievement - Sarah Beth Birdwell, Valedictorian, Ezell-Harding Christian School. by *Rochelle.

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Senate Joint Resolution No. 277 -- Memorials, Academic Achievement - Jameel Clark, 1999 Salutatorian, Ezell-Harding Christian School. by *Rochelle.

Senate Joint Resolution No. 278 -- Memorials, Academic Achievement - Tracie Lea Lewis, 1999 Salutatorian, Ezell-Harding Christian High School. by *Rochelle.

Senate Joint Resolution No. 280 -- Memorials, Retirement - Ollie Keller. by *Clabough, *Atchley, *McNally, *Springer, *Henry, *Cohen.

ROLL CALL

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, May 13, 1999.